

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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DATE FILED: 8/22/2018

JAMES CONTANT, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA  
CORPORATION, *et al.*,

Defendants.

Case No. 17-cv-3139-LGS

(related to No. 13-cv-7789-LGS)

ECF CASE

**NOTICE OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF  
SETTLEMENT WITH CITIGROUP INC., CITIBANK, N.A., CITICORP, AND  
CITIGROUP GLOBAL MARKETS INC.**

PLEASE TAKE NOTICE that Plaintiffs shall move this Court, before the Honorable Lorna G. Schofield, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an Order:

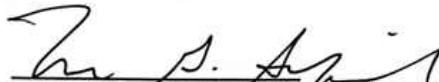
- (1) Granting preliminary approval of the proposed Settlement Agreement with Citigroup Inc., Citibank, N.A., Citicorp, and Citigroup Global Markets Inc. (the "Settlement");
- (2) Certifying the proposed Settlement Classes for settlement purposes;
- (3) Appointing Berger & Montague, P.C. as settlement class counsel;
- (4) Appointing Class Plaintiffs as class representatives of their respective Settlement Classes for settlement purposes; and

A Preliminary Approval Hearing will be held on September 27, 2018, at 11:30 a.m.

Dated: August 22, 2018

New York, New York

SO ORDERED

  
HON. LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

(5) Staying all proceedings in the Action with respect to the Settling Defendants until further order of the Court, except as may be necessary to implement the Settlement or comply with the terms thereof.

Submitted herewith in support of this Motion are the:

- (1) Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of the Settlement;
- (2) Declaration of Michael Dell'Angelo in Support of Plaintiffs' Motion for Preliminary Approval of the Settlement, and the exhibits thereto; and
- (3) [PROPOSED] Order Preliminarily Approving the Settlement, Conditionally Certifying the Settlement Classes, and Appointing Class Counsel and Class Representatives for the Settlement Classes.

Dated: August 21, 2018

Respectfully submitted,

/s/ Michael Dell'Angelo  
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